

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC. and  
NICE SYSTEMS LTD.,

*Plaintiff,*

v.

Civil Action No. 06-311-JJF

WITNESS SYSTEMS, INC.,

*Defendant.*

**JOINT STIPULATED ORDER**

Plaintiffs NICE Systems, Inc. and NICE Systems Ltd. (collectively, "NICE") and  
Defendant Witness Systems, Inc. hereby stipulate and agree to the following Order:

1. NICE confirms that its contention concerning the conception date for U.S. Patent No. 5,274,738 is April 21, 1989;
2. NICE confirms that it does not contend and will not file any contentions that any of the claimed inventions were reduced to practice any earlier than the patent application filing date to which the relevant patent claims priority;
3. NICE will not object to the timeliness of, or attempt to exclude on that basis, any of Witness Systems' invalidity contentions served to date, including its September 10, 2007 supplementation;
4. NICE will not attempt to further supplement its contentions for dates of conception and/or reduction to practice for any of the patents in suit; and
5. Witness Systems will not attempt to further supplement its invalidity contentions for any of the patents-in-suit.

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/s/William J. Marsden, Jr.

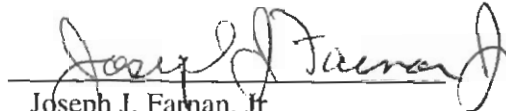
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Witness Systems, Inc.*

Dated: September 28, 2007

SO ORDERED this 2 day of October, 2007.

  
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Joseph J. Farnan, Jr.  
United States District Judge